

REMARKS

Claims 1-15, 38 and 40-42 remain pending. Reconsideration is respectfully requested.

Claim 1 was rejected under 35 U.S.C. § 112. It is respectfully submitted that the amendment of claim 1 now clarifies the use of the "ring" term with respect to a "plurality of rings" and the rings of the various section.

Claims 1-10, 15 and 38-41 were again rejected under 35 U.S.C. §102(b) as anticipated by Seguin (WO 97/46174). The Applicants had previously pointed out that the reference cited by the Examiner teaches away from the invention as claimed to the extent that Fig. 1 actually shows a smaller number of peaks in the rings of the central region than in the rings of the distal region (5 versus 6). The Examiner countered by providing a **total** first peak count with respect to each section rather than for **each** ring of the respective sections. Independent claims 1 and 38 have been modified to clarify this point and now specifically refer to the number of peaks in **each** ring of the respective sections. In the cited reference and more specifically, in Fig. 1 relied upon by the Examiner, the number of peaks on the other side of the stent are not except for around the leading edge of distal section and around the leading edge of the flared out central section. Accordingly, the leading edge of the distal section shows a ring with a total of six peaks while the leading edge of the central section shows a ring with a total of only five peaks. As such, this teaches away from the present invention which requires each ring of the central section to have a different number of peaks so as to have **more**, rather than less, material for apposing a side branch vessel. It is therefore respectfully submitted that anticipation is clearly avoided. Moreover, because only a differentiation in terms of width and cross-section, length and angles (see col. 3, lines 18-26 of corresponding U.S. Patent No. 6,068,655) rather than an increase in the number of peaks in the central section is relied upon to increase the amount of material in the central

section for apposing a side branch vessel, it is respectfully submitted that obviousness is therefore also avoided.

Claims 11-14 were rejected under 35 U.S.C. §103(a) as obvious over Seguin (U.S. Patent No. 6,068,655) in view of Guruwaiya (U.S. Patent No. 6,251,136). In light of the non-obviousness of the underlying independent claim as was argued above, it is respectfully submitted that all claims depending therefrom similarly avoid obviousness.

Claims 42 was rejected under 35 U.S.C. §103(a) as obvious over Seguin. In light of the non-obviousness of the underlying independent claim as was argued above, it is respectfully submitted that all claims depending therefrom similarly avoid obviousness.

In light of the above amendments and remarks, applicants earnestly believe the application to now be in condition for allowance and respectfully request that it be passed to issue.

The commissioner is authorized to charge any deficiencies in fees or credit any overpayments to our Deposit Account No. 06-2425.

Respectfully submitted,

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